



MIAMI BEACH

Special City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
September 27, 2011

Mayor Matti Herrera Bower
Vice-Mayor Edward L. Tobin
Commissioner Jorge R. Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 4:00 p.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business and Commission
R10 City Attorney Reports

Reports and Informational Items

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C7 - Resolutions

C7A Independent Contractor Agreements

1. A Resolution Authorizing The City Manager, On Behalf Of The City, To Enter Into Certain Independent Contractor Agreements For Professional And Other Services, As Required And As The City Manager Deems In The Best Interest Of The City, Subject To And Contingent Upon The Following Parameters: 1) The City Manager Shall Only Enter Into Contracts For Such Professional And Other Services To Provide Services And/Or Work Related To Vacant Budgeted Positions, As Identified In The City's Approved Fiscal Year (FY) 2011/2012 Annual Budget; 2) The Amount Of The Fee And/Or Other Compensation To Be Paid By The City Under Such Contract(s) Shall Not Exceed The Authorized Amount For The Respective Position/Classification, As Set Forth, Respectively, In The City's Classified Or Unclassified Salary Ordinance (As The Case May Be); 3) The Term Of Any Independent Contractor Agreement Authorized Herein Shall Not Extend Beyond The End Of FY 2011/2012 (September 30, 2012); 4) At A Minimum, The City Manager Shall Require That Any Independent Contractor Agreement Entered Into Pursuant To This Resolution Shall Utilize The City's Standard Form For Independent Contractors (As Attached To This Resolution), Provided That The City Manager May Incorporate Additional Terms, Which May Be More Stringent Than The City's Form, But Not More Lenient; And 5) Providing That The Authority Granted To The City Manager Pursuant To This Resolution Shall Be Brought To The City Commission For Renewal Annually As Part Of The Annual Operating Budget Approvals.
2. A Resolution Authorizing The City Manager, On Behalf Of The City, To Enter Into Certain Independent Contractor Agreements For The Following Services, As Required And As The City Manager Deems In The Best Interest Of The City: Dance Instruction; Ice Skating Instruction; Athletics Instruction/Coaching; Aerobics Instruction; Fitness Instruction; Literacy, Math And SAT Tutoring; Computer (IT) Services; School Liaison Officers; Resident Project Representatives (RPR); Community Information Services; Construction Cost Estimating/ Consulting Services; Television Production Services; Videographer Services; Graphic Designer Services; Program Monitor Services; Cost Allocation Service; Job Audits; Step III Disciplinary Grievance Hearing Officer And Auditors; Provided Further That The City Manager Shall Be Authorized To Negotiate, Enter Into, And Execute The Aforestated Agreements Subject To The Following Minimum Parameters: 1) The Amount Of The Fee And/Or Other Compensation To Be Paid By The City Under Such Agreement(s) Shall Not Exceed The Authorized Amount For The Respective Services, As Set Forth In The City's Approved Fiscal Year (FY) 2011/2012 Annual Budget; 2) The Term Of Any Services Agreement Authorized Herein Shall Not Extend Beyond The End Of FY 2011/2012 (September 30, 2012); 3) At A Minimum, The City Manager Shall Require That Any Agreement Entered Into Pursuant To This Resolution Shall Utilize The City's Standard Form Independent Contractor Agreement (As Attached To This Resolution), Provided That The City Manager May Incorporate Additional Terms, Which May Be More Stringent Than The City's Form, But Not More Lenient; And 4) Providing That The Authority Granted To The City Manager Pursuant To This Resolution Shall Be Brought To The City Commission For Renewal Annually As Part Of The Annual Operating Budget Approvals.
(Human Resources)

C7 - Resolutions (Continued)

- C7B A Resolution Adopting And Appropriating Funds For The Fiscal Year 2011/12 Police Special Revenue Account Budget In The Amount Of \$50,000 For The Purchase Of Those Items Set Forth In Exhibit "A," And Such Account Funded By Unclaimed Evidence Currently Held In The Police Special Revenue Account.

(Police Department)

- C7C A Resolution Adopting And Appropriating Funds For The Police Confiscation Trust Fund Budget For Fiscal Year 2011/2012 In The Amount Of \$946,800 To Be Funded From State Confiscated Funds (\$416,800) And Federal-Justice Confiscated Funds (\$530,000).

(Police Department)

- C7D A Resolution Adopting And Appropriating Funds For The Fiscal Year 2011/2012 Police Training & School Resources Fund Budget In The Amount Of \$30,000.

(Police Department)

- C7E A Resolution Adopting And Appropriating The Fourth Amendment To The Police Confiscation Trust Fund Budget For Fiscal Year 2010/11 In The Amount Of \$61,489, For The Appropriation And Expenditure Of Those Items Set Forth In Exhibit "A" And Shall Be Funded From The Proceeds Of State Confiscated Fund.

(Police Department)

End of Consent Agenda

REGULAR AGENDA

R7 - Resolutions

- R7A1 A Resolution Adopting: 1) The Final Ad Valorem Millage Of 6.2155 Mills For General Operating Purposes, Which Is Five And Three-Tenths Percent (5.3%) More Than The "Rolled-Back" Rate Of 5.9029 Mills; And 2) The Debt Service Millage Rate Of 0.2884 Mills. **5:01 p.m. Second Reading Public Hearing**
(Office of Budget & Performance Improvement)
- R7A2 A Resolution Adopting Final Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year 2011/12. **5:01 p.m. Second Reading Public Hearing**
(Office of Budget & Performance Improvement)
- R7B1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Of 1.0935 Mills For Fiscal Year (FY) 2011/12 For The Normandy Shores Local Government District, Which Is Nine And Nine-Tenth Percent (9.9%) More Than The "Rolled-Back" Rate Of 0.9946 Mills. **5:02 p.m. Second Reading Public Hearing**
(Office of Budget & Performance Improvement)
- R7B2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Operating Budget For Fiscal Year (FY) 2011/12. **5:02 p.m. Second Reading Public Hearing**
(Office of Budget & Performance Improvement)
- R7C A Resolution Adopting The First Amendment To The Fiscal Year (FY) 2010/11 Capital Budget, Reprogramming \$1,402,057 In Capital Reserves As Pay-As-You-Go Funds, Approving The Capital Improvement Plan For FY 2011/12-2015/16 And Appropriating The City Of Miami Beach Capital Budget For Fiscal Year (FY) 2011/12. **Joint City Commission and Redevelopment Agency**
(Budget & Performance Improvement)
- R7D A Resolution Adopting Fiscal Year (FY) 2011/12 Budgets For Special Revenue Funds For Resort Tax; The 7th Street Parking Garage Operations; City's Share Of The Shortfall Contribution Requirement For The 5th & Alton Parking Garage Operations; Art In Public Places (AiPP), Tourism And Hospitality Scholarship Program, And The Information And Communications Technology Fund - Debt Service And Citysourced Mobile Application Project.
(Budget & Performance Improvement)

R7 - Resolutions (Continued)

- R7E A Resolution Re-Affirming The New Living Wage Rates For Fiscal Year (FY) 2011-2012, In Accordance With The Three Year "Phase-In" Approved Pursuant To Ordinance No. 2010-3682; With Such Rates To Be Effective October 1, 2011 As Follows: \$10.72 Per Hour With Contributions Towards Health Benefits Of At Least \$1.45 Per Hour, And \$12.17 Per Hour Without Benefits.
(Procurement)
- R7F A Resolution Authorizing The Appropriation Of \$1,200,000 From The Fiscal Year (FY) 2011/12 People's Transportation Plan (PTP) Funds And FY 2011/12 South Beach Concurrency Mitigation Funds In The Amount Of \$13,121, To Fund The Operating Budget For The South Beach Local (SBL) In Miami Beach; And Further Appropriating \$275,000 From FY 2011/12 PTP Funds For Administrative And Technical Operating Expenditures, As Part Of The Five Percent (5%) Of Administrative Assistance And Technical Assistance Allowable For PTP Expenditures.
(Public Works)
- R7G A Resolution Adopting The Miami Beach Cultural Arts Council's Fiscal Year 2011/12 Budget In The Amount Of \$1,181,000.
(Tourism & Cultural Development)
- R7H A Resolution Accepting The City Manager's Recommendation, And Approving The Cultural Arts Council's Funding Recommendations, And Awarding \$630,000 In Cultural Arts Grants, For Fiscal Year 2011/12, As Identified In The Attached Exhibit "A"; And Further Authorizing The Mayor And City Clerk To Execute Said Grant Agreements, And Make The Award Of Said Grant Monies Subject To And Contingent Upon The Approval Of The Cultural Arts Council's Budget For Fiscal Year 2011/12.
(Tourism & Cultural Development)
- R7I A Resolution Adopting And Approving The Miami Beach Visitor And Convention Authority (MBVCA) FY 2011/12 Budget, In The Amount Of \$2,337,729.
(Tourism & Cultural Development)
- R7J A Resolution Approving An Allocation, In The Amount Of \$623,391, From FY 2010/11 And FY 11/12 General Fund Account No. 011.0930; Said Allocation To Be Provided And Utilized By The Friends Of The Bass Museum, Inc., For The Purpose Of Continuing To Fund And Provide Certain Operating Expenses At The Bass Museum Of Art, Through September 30, 2012; And Further Authorizing The City Manager To Execute A New Letter Agreement With The Friends Of The Bass Museum, Inc. Memorializing The Parties' Respective Obligations With Regard To Certain Management And Operation Responsibilities Of The Bass Museum Through September 30, 2012.
(Tourism & Cultural Development)

R7 - Resolutions (Continued)

- R7K A Resolution Authorizing The Issuance Of (I) Not To Exceed \$54,000,000 In Aggregate Principal Amount Of City Of Miami Beach, Florida Stormwater Revenue Bonds, Series 2011a, For The Principal Purpose Of Paying The Cost Of Certain Improvements To The Stormwater Utility, Pursuant To Section 209 Of Resolution No. 2000-24127 Adopted By The City On October 18, 2000, And (Ii) Not To Exceed \$28,000,000 In Aggregate Principal Amount Of City Of Miami Beach, Florida Stormwater Revenue Refunding Bonds, Series 2011b, For The Principal Purpose Of Refunding All Or A Portion Of The City's Outstanding Stormwater Revenue Bonds, Series 2000, Pursuant To Section 210 Of Said Resolution No. 2000-24127; Providing That Said Series 2011 Bonds And Interest Thereon Shall Be Payable Solely As Provided In Said Resolution No. 2000-24127; Providing Certain Details Of The Series 2011 Bonds; Delegating Other Details And Matters In Connection With The Issuance Of The Series 2011 Bonds And The Refunding Of The Bonds To Be Refunded To The Mayor, Within The Limitations And Restrictions Stated Herein; Appointing Underwriters, A Bond Registrar, An Escrow Agent And A Disclosure Dissemination Agent; Authorizing The Negotiated Sale Of The Series 2011 Bonds And Approving The Form Of And Authorizing The Execution Of A Bond Purchase Agreement; Authorizing And Directing The Bond Registrar To Authenticate And Deliver The Series 2011 Bonds; Approving The Form Of And Distribution Of A Preliminary Official Statement And An Official Statement And Authorizing The Execution Of The Official Statement; Providing For The Application Of The Proceeds Of The Series 2011 Bonds And Creating Certain Funds, Accounts And Subaccounts; Authorizing A Book-Entry Registration System With Respect To The Series 2011 Bonds; Authorizing The Refunding, Defeasance And Redemption Of The Bonds To Be Refunded And Approving The Form Of And Authorizing The Execution And Delivery Of An Escrow Deposit Agreement; Covenanting To Provide Continuing Disclosure In Connection With The Series 2011 Bonds And Approving The Form Of And Authorizing The Execution And Delivery Of A Continuing Disclosure Agreement; Authorizing Officers And Employees Of The City To Take All Necessary Related Actions; And Providing For An Effective Date. **5:00 p.m. First Reading Public Hearing**
(Finance Department)

R9 - New Business and Commission Requests

- R9A The Committee Of The Whole Will Meet At 4:00 p.m. Prior To The September 27, 2011 City Commission Meeting At The City Manager's Office Large Conference Room To Discuss Genting And Other Casino Ventures In Miami.
(Requested by Commissioner Jerry Libbin)

End of Regular Agenda

MIAMI BEACH REDEVELOPMENT AGENCY AGENDA

1. NEW BUSINESS

- A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency, Adopting And Appropriating The Miami Beach Redevelopment Agency Capital Budget For Fiscal Year (FY) 2011/12 And Adopting The Capital Improvement Plan For FY 2011/12 Through 2015/16. **Joint City Commission and Redevelopment Agency**
(Budget & Performance Improvement)

- B A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency Adopting And Appropriating The Operating Budget For The City Center Redevelopment Area, The Anchor Shops And Parking Garage And The Pennsylvania Avenue Shops And Parking Garage For Fiscal Year 2011/12.
(Budget & Performance Improvement)

End of RDA Agenda